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CONTRACTING WITH EPA: A GUIDE FOR PROSPECTIVE CONTRACTORS

Environmental Protection Agency
Washington, D. C.

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Contracting with... EPA

A GUIDE for PROSPECTIVE CONTRACTORS

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Washington, D. C. 20460

FOREWORD

"Contracting with the United States Environmental Protection Agency, a Guide for Prospective Contractors" is published to assist the business community in its efforts to find new markets in the Environmental Protection Agency (EPA). It is the policy of EPA to provide the broadest opportunity practical for business concerns to participate in the environmental protection program with special emphasis directed toward assisting small businesses, concerns located in labor surplus areas, and other minority and less mobile groups.

Procurement in EPA is accomplished on a decentralized basis by ten regional offices, two National Environmental Laboratories, and the Washington headquarters office. The information contained herein includes the names and addresses of contracting offices in EPA, the types of products and services procured, general information about the Agency, and hints to aid businessman in selling to EPA.

Opportunities for doing business in the environmental protection field have increased dramatically since the "awareness" years of the 1960's. Your interest in contracting with EPA and its programs is appreciated.

E. T. Rhodes

E. T. RHODES, DIRECTOR
CONTRACTS MANAGEMENT DIVISION
THE UNITED STATES ENVIRONMENTAL
PROTECTION AGENCY

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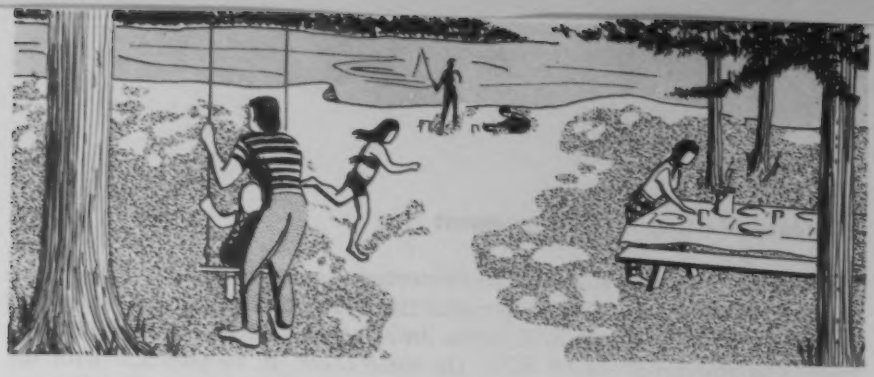


CHAPTER I

INTRODUCTION TO EPA

. . . its mission, goals, and organization.

The United States Environmental Protection Agency was established December 2, 1970, bringing together for the first time in a single agency the major environmental control programs of the Federal government. EPA is charged with mounting an integrated, coordinated attack on the environmental problems of air and water pollution, solid wastes management, pesticides, radiation, and noise.

To insure that the Agency is truly responsive to environmental needs in every part of the country, it has established a strong field organization, with Regional Offices located at ten major cities. The Regional Offices are staffed by specialists in each program area and headed by a Regional Administrator possessing broad authority to act for EPA in matters within his jurisdiction.

EPA was created to lead a broad, comprehensive attack on pollution, and its administrative organization has been designed to make this approach a reality. The new organizational strueture makes it easier to identify, and to take into account, all the factors on pollution and its control. It makes it possible to resolve competing or conflicting program aims. It is facilitating the development of better information on the total impact of stresses reaching man from various parts of the environment, and makes possible more sensible choices about what constitutes a healthful, satisfying milieu for human life.

Most important of all, perhaps, EPA gives to the American people a single, independent agency to serve as their advocate for a livable environment.

Standards-Setting And Enforcement . . .

The United States Environmental Protection Agency is, first and foremost, a regulatory agency with responsibilities for establishing and enforcing environmental standards, within the limits of its various statutory authorities. The standards set by EPA (in some cases, in cooperation with the States) have the force of law. They define the kinds and levels of pollutants which must be prevented from entering our air and water, and establish time-tables for achieving the prescribed quality.

Research And Monitoring . . .

Effective action, particularly in standards-setting and enforcement, requires that EPA have sound data on what is being introduced into the environment, its impact on ecological stability, on human health, and on factors important to human life. By close coordination of its various research programs, EPA strives to develop a synthesis of knowledge from the biological, physical and social sciences which can be interpreted in terms of total human and environmental needs.

Major aims of the Agency's research efforts at this time include:

Advancement of understanding of long-term exposures to contaminants, of sub-acute or delayed effects on human and other organisms, of the combined and synergistic actions of chemical, biological, and physical stresses.

Expansion and improvement of environmental monitoring and surveillance to provide baselines of environmental quality.

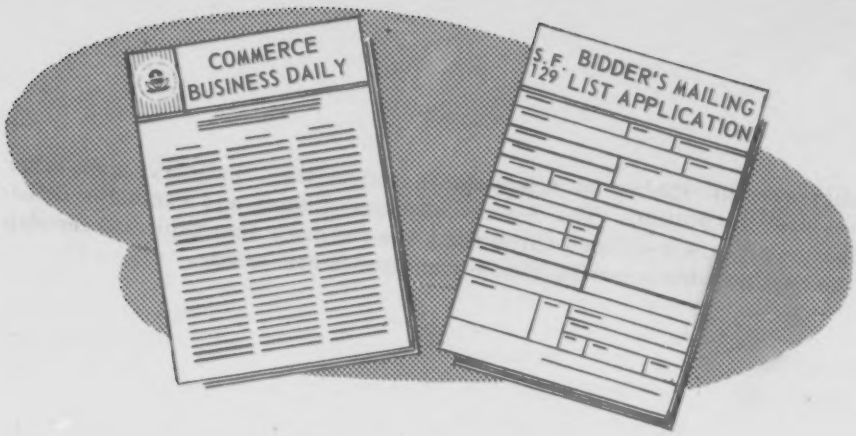
Acceleration of progress in applied research into the control of pollutants, the recycling of so-called "wastes," and the development of sophisticated, non-polluting production processes.

Improved assessment of trends of technical and social change and potential effects—first, second, and even third-order effects—on environmental quality.

Improved understanding of the transport of materials through the environment; their passage through the media of air, water, and land; their ability to cross the various interfaces; and their various changes of state that can make them innocuous at one point and hazardous at another.

In addition to performing research in its own laboratories in various locations throughout the country, EPA, through grants and contracts,

supports the studies of scientists in universities, industry, and other research institutions. The Agency also consolidates and evaluates information as it is developed throughout the scientific community to develop the best possible scientific base for environmental action.



CHAPTER II

HOW TO CONTRACT WITH EPA

Tell Us What You Sell . . .

Write to the contract operations office with which you hope to do business and request the Standard Form 129, "Bidders Mailing List Application." Complete the form and return for evaluation.

Find Out What We Want . . .
list of bidders

All qualified firms, institutions, and/or individuals are entitled to be placed on our bidder's mailing list for award of contracts. However, this will not guarantee that all prospective bidders on a particular list will receive a copy of every Invitation for Bid (IFB) or Request for Proposal (RFP), i.e., if the list would happen to be excessively long, then the list would be rotated for each new procurement action. The Invitation for Bid or Request for Proposal will tell you—

What we want

How Many we want

What Quality we want

What Deliveries we want

What Contract Clauses we want

"Commerce Business Daily"

The "Commerce Business Daily," published by the U.S. Government Printing Office, is a valuable source of information to businessmen in identifying products and services which EPA contract operation offices plan to procure. Construction needs and research and development needs of EPA are also listed in the publication. Other pertinent information on Federal procurement activities are included.

The "Commerce Business Daily" is published Monday through Friday and may be purchased on an annual subscription basis from:

Superintendent of Documents
Commerce Business Daily
Government Printing Office
Washington, D.C. 20402

CHAPTER III

EPA BUYING

. . . what, where, how, and from whom.

What And Where We Buy . . .

The EPA contracts for diverse supplies, services, construction, research, and development. The nature of contract requirements in the regions differs from contract requirements in the National Environmental Research Centers (NERC's), and, both of these, differ somewhat from the Washington Headquarters' requirements.

Regions

Each of the ten regional offices is authorized to make small purchases of supplies, equipment, and services not in excess of $2,500; construction to a maximum of $2,000, and purchases from GSA contract schedules. These are in the form of operational supplies and services. Regional procurements, in excess of $2,500, are contracted by the Washington Headquarters Contract Operations.

NERC's

There are three National Environmental Research Centers which primarily serve the research and development demands of the EPA. The Cincinnati NERC is responsible for environmental engineering for EPA. The health effects of pollution on humans are the main concerns of the Research Triangle Park NERC. The Corvallis NERC is involved in ecology pollution studies.

At present, the Cincinnati and Research Triangle Park NERC's manage all of their own procurement needs; small and large, solicited and unsolicited. The Corvallis NERC relies on the Washington Headquarters' Contract Operations for procurements exceeding its authority, which is the same as for the regional offices, $2,500 for goods and services and $2,000 for construction.

The NERC's have broad-range procurement needs. They are in the market for general type services and supplies, construction, unique services and supplies, and environmental research and development on pollution control systems, biological systems, etc.

Headquarters' Contract Operations

In addition to supporting the regional offices' large purchase procurements and the Corvallis NERC's needs, the Headquarters office furnishes procurement support to the EPA program offices. The majority of EPA Data Systems requirements will also be handled by the Headquarters' Contract Operations.

Services, construction, supplies, and research and development types of procurements are administered through the Washington contract offices. Depending on the type of procurement needed (e.g., services, research, etc.), and the total cost of the procurement (e.g., above or below $2,500, construction above or below $2,000), the contracting office uses either the negotiated or the advertised purchasing method.

Addresses

There are three major contracting offices in EPA. These are the Headquarters' Contract Operations, the Research Triangle Park NERC's Contract Operations, and the Cincinnati NERC's Contract Operations.

The regional offices, the Corvallis NERC, and other EPA laboratories and offices conduct minor procurements below $2,500. These offices and laboratories do not contract for major research and development or specialized advisory services.

Major Contracting Operations:

Washington Headquarters' Contract Operations

address—Headquarters' Contract Operations
Environmental Protection Agency
Washington, D.C. 20460

NERC, Cincinnati

address—Cincinnati Contract Operations
Environmental Protection Agency
Cincinnati NERC
Cincinnati, Ohio 45268

NERC, Research Triangle Park

address—Research Triangle Park Contract Operations
Environment Protection Agency, NERC
Research Triangle Park, North Carolina 27711

Minor Procurement Stations:

Regional Offices

Region I

Area Covered—Connecticut, Maine, Massachusetts,
New Hampshire, Rhode Island, Vermont
Address—EPA Regional Office
Room 2303, J. F. Kennedy Federal Building
Boston, Massachusetts 02203

Region II

Area Covered—New Jersey, New York, Puerto Rico,
Virgin Islands
Address—EPA Regional Office
Room 847, 26 Federal Plaza
New York, New York 10007

Region III

Area Covered—Delaware, Maryland, Pennsylvania,
Virginia, West Virginia, D.C.
Address—EPA Regional Office
6th & Walnut Streets
Philadelphia, Pennsylvania 19106

Region IV

Area Covered—Alabama, Florida, Georgia, Kentucky,
Mississippi, North Carolina,
South Carolina, Tennessee
Address—EPA Regional Office
Suite 300, 1421 Peachtree Street, N.E.
Atlanta, Georgia 30309

Region V

Area Covered—Illinois, Indiana, Michigan, Minnesota, Ohio, Wisconsin
Address—EPA Regional Office
1 N.W. Wacker Drive
Chicago, Illinois 60606

Region VI

Area Covered—Arkansas, Louisiana, New Mexico, Oklahoma, Texas
Address—EPA Regional Office
1600 Patterson Street, Suite 1100
Dallas, Texas 75202

Region VII

Area Covered—Iowa, Kansas, Missouri, Nebraska
Address—EPA Regional Office
1735 Baltimore Avenue
Kansas City, Missouri 64108

Region VIII

Area Covered—Colorado, Montana, North Dakota, South Dakota, Utah, Wyoming
Address—EPA Regional Office
Lincoln Tower Building, 1860 Lincoln Street
Denver, Colorado 80203

Region IX

Area Covered—Arizona, California, Hawaii, Nevada, American Samoa, Guam, Trust Territories of Pacific Islands, Wake Island
Address—EPA Regional Office
100 California Street
San Francisco, California 94111

Region X

Area Covered—Alaska, Idaho, Oregon, Washington
Address—EPA Regional Office
1200 Sixth Avenue
Seattle, Washington 98108

NERC, Corvallis

Address—Environmental Protection Agency
Corvallis NERC
Corvallis, Oregon 97330

There are other EPA offices and satellite laboratories which exercise limited procurement authorities from time to time. A complete list of their current addresses may be obtained from the Contracts Policy and Review Branch, Contracts Management Division, Environmental Protection Agency, Washington, D.C. 20460.

How We Buy . . .

The procurement procedure is initiated either by EPA or by a prospective supplier. The Agency may be the initiator by "Soliciting for Bids or Proposals." The "Unsolicited Proposal" is the vehicle in which a supplier makes known his desire to perform a specific effort for EPA when there is no solicitation.

Solicited Proposals

Once a procurement need is recognized within the Agency, a contracting officer must make a decision on the best method for procuring the property or services. He must decide upon the use of formal advertising or negotiation.

Advertised Procurement:

Advertised procurement is used when the one primary factor in the purchase is the final price. The final price is important when more than one concern is able to supply the item(s) with equal technical competence, equal quality, and other equal factors. If this method of procurement is indicated, then the contracting officer will mail Invitations for Bids (IFB's), together with bid forms and all instructions, to prospective suppliers of the required product who are on a specific bidder's list (page . Bidders are asked in the Invitation to submit sealed bids by a certain hour and date.

The bids, which have been received, are analyzed by EPA contract officers and the contracts are then awarded. The contract award is made to the lowest bidder who, provided the prices are reasonable, has the facilities, technical capability, and financial resources to complete the contract in accordance with the terms of the Invitation.

Negotiated Procurement:

Negotiated procurement is most often utilized when the major factor in deciding upon a supplier is the technical competence of the supplier, as

in the case of many of our contracts for research and development. Negotiation is also used when the anticipated cost of the property or service will not exceed $2,500 ($2,000 in the case of construction). If negotiation is decided upon, the contracting office will send Requests for Proposals (RFP's) to prospective suppliers.

Contracts under negotiated procurement are awarded based primarily on technical competence of the awardee, except in the cases of small purchases.

Unsolicited Proposals

An unsolicited proposal is a document voluntarily initiated and prepared by a potential contractor offering a possible solution to a Government requirement. It is usually the result of a decision by a concern that it has conceived something new or novel and that, if sponsored, it can demonstrate that the idea has both scientific merit and environmental protection applications.

Before submitting a proposal, a concern should ask, "Are we uniquely qualified or particularly competent in this field?" Uniqueness by virtue of personnel, proprietary techniques, patents or facilities should be clearly set forth in the unsolicited proposal.

In accordance with Government procurement regulations, competition must be utilized to the maximum extent possible, this is an EPA policy. A favorable technical evaluation of an unsolicited proposal is not, in itself, sufficient justification for negotiating on a noncompetive basis with the submitter. It must be determined that the substance of the proposal is not available to EPA from another source. When an unsolicited proposal is received and its substance is available from another source or closely resembles that of a pending competive solicitation, or is not otherwise sufficiently unique to justify acceptance as an original proposal, the policy of obtaining competition applies.

Your unsolicited proposal should contain within it a technical and a business proposal. The technical proposal should clearly define the unique concept and include a plan for turning the concept into a reality. It should also include the technical capabilities of the concern (personnel, facilities, and other special resources). It is suggested that the technical proposal identify any potential or proprietary aspects of the proposed ideas or process. The business proposal should include a detailed cost proposal, information concerning past Government contracts, and any special terms and conditions which the concern desires to have placed in a resultant contract with EPA.

The unsolicited proposal should be thorough enough to allow a complete evaluation by EPA without extensive interchange of information.

Unsolicited proposals are to be forwarded to:

Environmental Protection Agency
Grants Administration Division
Washington, D.C. 20460

Unsolicited proposals may be the product of original thinking and are the property of the organization or individual who presents them. It is important that such proposals, received by purchasing activities, be handled in a manner which will encourage prospective contractors to disclose to the Government ideas which they have originated, conceived, or developed. Hence, the submission of an unsolicited proposal may be marked with a legend, restricting the disclosure and use of data in the proposal. If a proposal is so marked, the terms of the legend will be complied with.

From Whom We Buy . . .

The EPA procures its needed goods and services and research and development from whomever is able to supply the Agency with the appropriate quality product at the lowest cost. However, procurement considerations are given to certain groups, including small business firms, firms in labor surplus areas, minority groups, and others.

Small Business Firms

A sizeable percentage of EPA's contracts are awarded to small businesses. If yours is a small business, as defined by the Code of Federal Regulations, Title 41, then you may want to explore the special opportunities available to you in competing for EPA contracts.

The management of EPA encourages procurement from small businesses. EPA Small Business Advisors have been appointed to the three principal contracting operations. One of the major functions of the Advisors is to aid small businesses in locating procurement needs in EPA program offices which the concerns have the capacity to fulfill. Another function of the Small Business Advisors is to seek, develop, and compile information on the technical competence of small business concerns for products and/or services procured by EPA. Contact with Small Business Advisors may lead your small business to new markets.

Firms In Labor Surplus Areas

In instances, where applicable, firms located in labor surplus areas may be given preference in contract negotiations. This could be an important consideration for your business. For further information, and aid, contact a Small Business Advisor in the Washington Headquarters' Contract Operations, Cincinnati NERC's Contract Operations or Durham NERC's Operations. (Small and large businesses are eligible for this priority.)

The SBA 8(a) Program And Minority Business Enterprise

Programs involved—

—SBA 8(a) Program
—Small Business Programs
—Minority Consultant Contracting Program
—Direct Procurement Program
—Subcontracting Program

The Small Business Administration can provide pertinent information concerning potential economically or socially deprived suppliers pursuant to Section 8(a) of the Small Business Act of 1953. In addition, EPA will utilize its resources and activities toward obtaining contracts for minority owned concerns. This will be done in order to obtain a fair proportion of EPA's purchases and contracts for these businesses.

CHAPTER IV

HINTS TO BIDDERS AND/OR OFFERORS

Read The Invitation Carefully . . .

Bidders and/or offerors are expected to follow all instructions and specifications set forth in the Invitation for Bids or Request for Proposals contained in the procurement package. This package will describe where to obtain all necessary specifications and requirements. Don't assume anything! In case of doubt as to the meaning of any part of the RFP or IFB, communicate immediately with the cognizant EPA contracting office.

Include All Your Costs . . .

Be certain that all costs are included. Remember, many things can upset your cost estimates. It is important to take them into consideration when preparing your bid.

Prepare Your Bid Accurately . . .

Your bid is your formal offer to supply the required items, services, construction, research, or development at the price you indicate and on the terms we specify. Don't promise deliveries you cannot fulfill. If your bid is accepted, your contract will hold you to all the terms of the Invitation for Bids or Request for Proposals. If you make an error, EPA may not legally be able to grant relief.

Submit Your Bid On Time . . .

Your bid must be received by EPA before the hour set for the opening of bids. Unless otherwise stated in the IFB or RFP, telegraphic bids will not be accepted, but telegraphic modifications of bids already submitted will be considered if received before the hour of bid opening. Hand carried bids will be accepted before the hour set for the opening of bids.

CHAPTER V

WHO GETS THE CONTRACT?

The contracting office is required by law to award contracts to the responsible bidders whose bids, responsive to the Invitation for Bids or the Request for Proposals will be most advantageous to the Government, price and other factors considered.

Who Is A Responsible Bidder? . . .

A responsible bidder is a manufacturer or regular dealer financially and otherwise able to perform the contract in accordance with all the terms of the IFB or RFP.

What Is A Responsive Bid? . . .

A responsive bid is one that meets the requirements of the IFB or RFP. It offers to provide the goods, services, or construction needed in accordance with the specifications and delivery schedule set forth in the IFB or RFP. It contains no restrictions or qualifications beyond those permitted in the Invitation or Request.

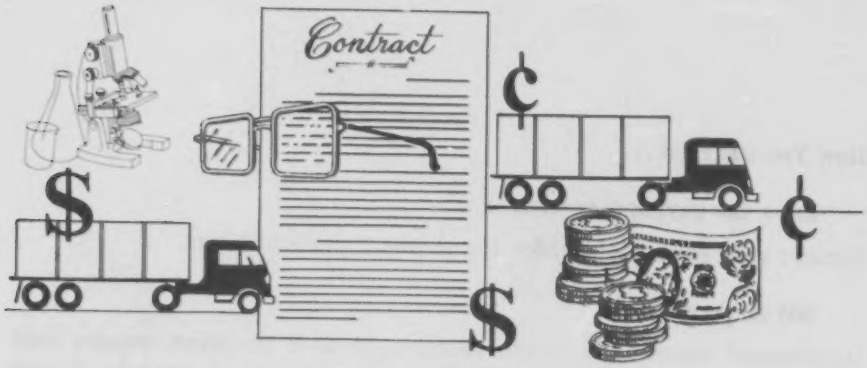
What Is Advantageous To The Government? . . .

In formal advertisement procurement under an IFB situation—

PRICE, the Lowest Final Cost.

In negotiated procurement under an RFP situation—

TECHNICAL COMPETENCE, Price and Other Factors considered (this is primarily in reference to negotiated procurement for research and development).



CHAPTER VI

HINTS TO CONTRACTORS

Read Your Contract . . .

Your contract sets forth your obligations and your rights. It mutually protects both you and the Government.

Comply With The Specifications . . .

The specifications precisely describe the properties of materials, the dimensions, fits, quality, and reliability levels, as well as other characteristics we require.

Consult With The Contracting Office . . .

Any questions arising in connection with your performance under the contract should be discussed with representatives of the contracting office from which the contract was awarded.

Deliver On Schedule . . .

Plan your production schedules to meet the delivery dates specified in the contract.

How You Get Paid . . .

know the payment procedure

Consult your contracting office for payment particularities.

bill us accurately

Government regulations, which protect you as a taxpayer, require that you, as a contractor, submit a bill that is accurate in all respects. Errors in billing cause delays in payment. Make certain that you mail your voucher or invoice to the office specified in your contract and it is in accordance with the format specified by the contracting officer.

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